

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID CRIST,

Plaintiff,

vs.

Case No. 05-CV-74803
HON. GEORGE CARAM STEEH

WARREN EVANS, et al.,

Defendants.

_____/

ORDER ACCEPTING REPORT AND RECOMMENDATION (#33).
AND DISMISSING DEFENDANTS OATS AND DOE

Magistrate Judge Mona K. Majzoub issued an August 28, 2007 Order requiring pro se plaintiff David Crist to show cause by September 7, 2007 why his prisoner civil rights claims as alleged against defendants "Mrs. Oats" and "John Doe" should not be dismissed for failure to timely accomplish service. Crist did not file a response to the show cause order, prompting Magistrate Judge Majzoub to issue a September 25, 2007 Report and Recommendation recommending that "Mrs. Oats" and "John Doe" be dismissed from this lawsuit. Magistrate Judge Majzoub notes that Counsel for the Wayne County defendants has represented that the Wayne County Jail has never employed a "Mrs. Oats." Crist has not filed an objection to the Report and Recommendation.

Having reviewed the September 25, 2007 Report and Recommendation, and absent objection, the court adopts the recommendation that defendants "Mrs. Oats" and "John Doe" be dismissed from this lawsuit. Accordingly,

Defendants Mrs. Oats and John Doe are hereby DISMISSED as party-defendants.

SO ORDERED.

Dated: October 18, 2007

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
October 18, 2007, by electronic and/or ordinary mail.

s/Josephine Chaffee
Deputy Clerk